

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

MELISSA R. LITTLECREEK,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-14-531-L
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

ORDER

On August 18, 2015, Magistrate Judge Charles B. Goodwin entered his Report and Recommendation in this action brought by plaintiff Melissa R. Littlecreek pursuant to 42 U.S.C. §405(g) for judicial review of the final decision of Carolyn W. Colvin, Acting Commissioner of the Social Security Administration (“Commissioner”) denying plaintiff’s applications for disability insurance benefits and supplemental security income under the Social Security Act, 42 U.S.C. §§ 401-434, 1381-1383f. The Magistrate Judge recommended that the decision of the defendant Commissioner be reversed and remanded for further proceedings.

The court file reflects that the Commissioner filed an Objection to Report and Recommendation, which the court has considered. Upon *de novo* review, the court finds that the Report and Recommendation should be and is hereby adopted in its entirety. The Magistrate Judge properly found that the Administrative Law Judge (ALJ) failed to properly evaluate the opinion of

consulting psychologist Ron Smallwood, PhD. The Magistrate Judge was also correct in finding that the ALJ's residual functional capacity (RFC) determination was flawed in its treatment of plaintiff's mononeuropathy in her wrists and of her medically determinable mental impairment. As stated by the Magistrate Judge: "Considered cumulatively, the ALJ's consideration of Dr. Smallwood's opinion failed to follow the correct legal standards and rendered the ALJ's findings at step two and in the RFC determination unsupported by substantial evidence." Doc. No. 18, p. 14. Therefore, remand is appropriate.

Accordingly, the decision of the Commissioner is **REVERSED**. This matter is **REMANDED** to the Commissioner for further proceedings consistent with the August 18, 2015 Report and Recommendation of the Magistrate Judge.

It is so ordered this 30th day of September, 2015.



TIM LEONARD
United States District Judge